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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,047	02/23/2001	Christer Bohm	AB-1005 US	9000

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EXAMINER

HOANG, THAI D.

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,047

Applicant(s)

BOHM ET AL.

Examiner

Thai D Hoang

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Application filed on 02/23/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12-22 and 27-29 is/are rejected.
- 7) ☒ Claim(s) 9-11 and 23-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

Drawings are objected to because of the following informalities:

Elements show in figures 2-5 and 7 lack descriptive legends.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The statement "first bitstream at said first port is transmitted in said second and third bitstream in maintained mutual order" recited in claims 8 and 22 is confusing. It is not clear what is meant by "maintained mutual order".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Ennamorato et al, US Patent No. 6,058,117 in view of Calvignac et al. US Patent No. 6,197,065, hereafter referred to as Ennamorato and Calvignac respectively.

Regarding claims 1, 5, 15 and 19 Ennamorato discloses an apparatus and method called data transfer via pseudo deterministic channel. Ennamorato discloses that the system comprises a TDM switch that receives input stream port 0 and output at port 1 and 2, wherein the outputs are controlled by host computer 30, fig. 2b, col. 3, lines 30-63. Ennamorato does not teach that each of the timeslots input at port 0 is associated with a channel ID for outputting. However, Calvignac discloses a system called distribution mechanism for establishing communications between user interfaces of a communication system. Calvignac discloses that the system associates every timeslot with a slot ID; see fig. 4, element 50, figs. 5, bit 5-11 and 6, bit 2-11, col. 5, lines 50-56 and col. 6, lines 62-65. In addition, Calvignac teaches the system has a central control unit 7 that communicates with configuration tables 18s for mapping and scheduling timeslots; abstract, col. 3, line 61 – col. 4, line 61. It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt channel ID and configuration tables disclosed by Calvignac into Ennamorato's system for optimizing the bandwidth of the system by controlling the timeslots (channels).

Regarding claims 2-4 and 16-18, Calvignac discloses that the system associates every timeslot with a slot ID for communication within internal or external communication system; see fig. 4, element 50, figs. 5, bit 5-11 and 6, bit 2-11, col. 5, lines 50-56 and col. 6, lines 62-65; col. 10, lines 6-12. It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt Calvignac's method into Ennamorato's system for advantages as cited above with respect to claim 1.

Regarding claims 6 and 20, Calvignac discloses that the system comprise distribution buffers 20s to store data. The buffers are interconnected and communicated with configuration tables 18s for associating the data with addresses and channel IDs, fig. 1-2 and 5-6. It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt Calvignac's method into Ennamorato's system for advantages as cited above with respect to claim 1.

Regarding claims 7 and 21, Calvignac discloses that the control unit 7 only writes data in available timeslots form configuration tables 18s, col. 2, lines 1-7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt Calvignac's method into Ennamorato's system for advantages as cited above with respect to claim 1.

Regarding claims 8 and 22, as best understood, the data output at the output ports 1 and 2 in the system disclosed by Ennamorato is inherently maintained in an order for synchronizing.

Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Ennamorato et al, in view of Calvignac et al. as shown above, and further in view of Collins et al, US Patent No. 4,038,497, hereafter referred to as Ennamorato, Calvignac, and Collins respectively.

Regarding claims 12 and 27, both Ennamorato and Calvignac do not explicitly disclose the limitations recited in claims 12 and 27. However, Collins discloses a switching system that comprises a plurality of input memories, each of the plurality of input memories for one channel. The data is stored in a memory corresponding its

channel and the system writes the data stored in memory into time slot positions defining the channel on the respective bitstream; see figs.2-7.

Regarding claims 13-14 and 28-29, Calvignac discloses that the system dynamic allocates timeslot for user; col. 2, lines 39-42; col. 5, lines 5-7.

Allowable Subject Matter

Claims 9-11 and 23-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to the application:


US Patent No. 5,197,063 A, Nakamo et al. discloses, "Circuit switching method and apparatus for time division network with various transmission speeds."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-18:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai Hoang


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 10/1/09